

Remarks/Arguments:

With the present response, claims 23-30 are under examination, with claims 1-21 and 31-55 having been withdrawn pursuant to a restriction requirement.

We note that the Office Action incorrectly lists claims 26-30 being under examination.

Further, the Office Action fails to list the claims that are rejected under 35 U.S.C. §102(e).

Therefore, the Applicants are unable to properly respond to the Office Action without the proper claims being examined or the rejected claims properly listed.

In a telephone discussion with the Examiner on January 10, 2008, well before the shortened statutory deadline for response to this Office Action, the above deficiencies of the Office Action were pointed out to the Examiner and the Examiner agreed that the deficiencies need to be rectified. We appreciate the Examiner's agreement during that telephone discussion to issue a Supplemental Office Action, replacing the present Office Action, and restarting the date for response.

In an additional telephone conversation with the Examiner on May 5, 2008, the Examiner indicated that he would issue the Supplemental Office Action shortly. In a telephone conversation with the Examiner's Supervisory Patent Examiner (SPE) on May 12, 2008, the SPE acknowledged that he had received a draft of the Supplemental Office Action and expected to send it to the undersigned within the next day or two.

As of the present date, the undersigned has neither received the Supplemental Office Action, nor been able to confirm the issuance of the Supplemental Office Action through PAIR. Telephone calls and voice messages to the Examiner and his SPE on this date have not yet been returned.

In the event that a Supplemental Office Action is not issued, Applicants respectfully submit that this Response is responsive to the Office Action of November 11, 2007, given the deficiencies of that Office Action.

Appn. No.: 10/629,077
Amendment Dated May 14, 2008
Reply to Office Action of November 14, 2007

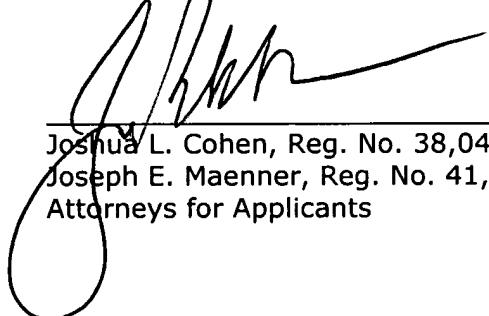
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Conclusion

In light of the aforementioned errors of the present Office Action, Applicants respectfully request prompt issuance of the Supplemental Office Action, restarting the date for response.

In view of the deficiencies in the Office Action and the imminent issuance of a Supplemental Office Action setting a new response deadline, it is believed that an extension fee is not required. In the event that an extension fee is deemed to be required to maintain the pendency of this application, authorization is provided to charge Deposit Account No. 18-0350.

Respectfully submitted,



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JLC/JEM/

Dated: May 14, 2008

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The Director is hereby authorized to charge or credit Deposit Account No. 18-0350 for any additional fees, or any underpayment or credit for overpayment in connection herewith.

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